

MONTANA LEGISLATIVE HISTORY

Chapter 80 19 59

Bill H Sub 121 S _____ Original bill & history C

H. Committee on Judiciary

Hearing Date(s) Jan 29 ☒ C

Jan 31 ☒ C

_____ ☐ C

_____ ☐ C

Date Out Jan 31 ☒ C

S. Committee on Judiciary

Hearing Date(s) Feb 18 ☒ C

Feb 19 ☒ C

_____ ☐ C

_____ ☐ C

Feb 19 ☒ C

Did this bill originate in an interim committee? ☐ Yes ☐ No

Committee _____

Report _____

January 31, 1957

JUDICIARY COMMITTEE

Meeting of the House Judiciary Committee was held on Wednesday, January 30th, upon adjournment of the House. Chairman Hooks presided.

Upon roll call all members were present except Holding and Barnard.

House Bill No. 186 and House Bill No. 187 were taken up at this time. Mr. Nelstead of Custer County appeared on behalf of these bills. He stated that he introduced these bills at the request of the Montana Title Association. He said that this bill just brings it up to date.

Motion was made by Thomas and seconded by McKenna that House Bill No. 186 Do Pass. Motion carried.

Motion was made by Thomas and seconded by McGarvey that House Bill No. 187 Do Pass. Motion carried.

Mr. Tom Haines, Representative from Missoula, spoke briefly at this time on House Bill No. 207 and House Bill No. 208. He stated that these bills were put in more or less at the request of Dr. Westfelt. Motion was made by Mr. Gerard and seconded by Mr. McGarvey that the bills be passed until Mr. Rieder may appear. Motion carried.

Sub-committee report was given at this time by Mr. Berg on House Bill No. 121. He stated that another bill, Substitute Bill No. 121 will be introduced by the Committee on Judiciary.

At this time, Mr. Evans, one of the sponsors of House Bill No. 180 along with Mr. Felt, spoke with reference to the bill. He explained this job of picking jurors and what a burden it is to get the jury boxes ready for the spring term of court. Motion was made by Cerovski and seconded by McKenna that House Bill No. 180 Do Pass. Motion carried.

At this time the committee was asked if they cared to sponsor any of the bills as committee bills brought in by the County Attorney's Association. It was decided that none of the bills would be sponsored as committee bills.

At this time sub-committee report on House Bill No. 143 was given by Mr. Anderson. He suggested that the bill be amended and as so amended that the Committee recommend the Bill Do Pass. Motion was seconded by Mr. Felt. Motion carried.

Consideration of House Bill No. 121 was taken up at this time. Mr. Graybill of Great Falls and Mr. McOmber appeared as proponents of this bill. Mr. Graybill stated that the telephone company now has no opposition to the Substitute House Bill No. 121. Questions were directed to Mr. Graybill and Mr. McOmber.

Motion was made by Mr. McKenna and seconded by Mr. Berg that House Bill No. 121 Do Not Pass but that Substitute House Bill No. 121 Do Pass. Motion carried.

House Bill No. 92 was considered at this time. Mr. McKenna and Mr. Anderson spoke briefly. Motion was made by Mr. Thomas and seconded by Mr. Berg that House Bill No. 92 Do Pass. Motion carried.

House Bill No. 121 was taken up at this time. Motion was made by Mr. McGarvey and seconded by Mr. Anderson that House Bill No. 121 be put in a sub-committee. Motion carried. Mr. Hooks appointed Mr. McGarvey and Mr. Berg to the sub-committee on House Bill No. 121.

House Bill No. 48 was considered at this time. Motion was made by Mr. McGarvey and seconded by Mr. Daniels that House Bill No. 48 Do Not Pass. It was then suggested by Mr. Felt that on Page 3 an amendment be put in to the effect that the Montana Bar Association be deleted and that in lieu thereof the State of Montana be added. The original motion and second was withdrawn. Felt suggested that we substitute the Attorney of the State of Montana for the President of the Montana Bar Association. He made this in the form of a motion and motion was seconded by Mr. Gerard. Motion carried. Mr. McKenna moved that in place of 5 Junior Judges the words 5 Senior Judges be inserted therein. Motion was seconded by Mr. Daniels. Motion carried.

Motion was made by Mr. McGarvey in the form of a substitute motion that the 3 laymen of the commission and the words relative thereto be stricken in their entirety. Seconded by Mr. Berg. 5 being for the motion and 6 being opposed to the motion, the motion lost.

The motion made by Mr. McKenna that Junior Judges be changed to read Senior Judges was then voted on. Motion carried.

Motion was made by Mr. Anderson and seconded by Mr. Berg that House Bill No. 48 be amended, and as so amended the bill Do Pass. 9 being for the motion and 4 being opposed to the motion, the motion carried.

Motion was made by Mr. Felt and seconded by Mr. Daniels that the meeting be adjourned. Meeting adjourned at 4:50 P. M.

CHAIRMAN OF JUDICIARY COMMITTEE
PATRICK F. HOOKS

SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Chairman Harken, 18 February 1957, 3:40 PM. Absent were Carney, Hibbs, Nutter, Ruane, and Smith.

HB 13 with amendments prepared by Hibbs discussed. To be held until Hibbs comes to the meeting.

HB 79. Massman spoke on the bill. Bill was originally in the highway committee, wherein the Supervisor of the Highway Patrol spoke in support of the bill. Measure received good support in the House. Don Sterrat, Sheriff's Association and the sheriff of Park County appeared also in support of the bill. They maintained that if the bill would help curb juvenile accidents and delinquency that they are all for it. They claimed there were 101 deaths caused by juvenile driving in the past year in Montana. They stated the bill does not constitute jurisdiction. Minor violations would the first time be marked by a warning. After 2 or 3 warnings, action would be taken. An out-right violation would cause removal of license. Questions were asked by the committee.

HB 37 discussed. McDonnell moved be not concurred in. Seconded by Nixon. Motion carried.

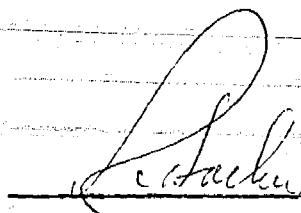
HB 26 discussed. Representative Thomas appeared in support of the bill. The bill pertained to the town of Hayes. The committee agreed the bill seemed inconsistent. Mr. Burgan of the State Board of Education knows about the bill and when he returns to town would like to explain further. Passed for the day.

HB 346 discussed by Representative Thomas. Relating to sales of property by counties. Worden moved for the axe; seconded by McDonnell. Motion carried.

Sub-House Bill 345, misdemeanor to tamper with aircraft. Worden moved be concurred in; seconded by Hagenston. Motion carried.

Sub-House Bill 121. Rural Electric Telephone Co-op. McOmber from the house appeared in favor of the bill. Questions by the committee.

Meeting adjourned.

 Chairman

SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Chairman Harken, 19 February 1947, 4:20 PM. Those absent were Hibbs, Nixon, Nutter and Ringling.

Representatives Wayrynen and Anderson (C) appeared as opponents and Mickey Chilton, lawyer from Helena, appeared as proponent on House Bill 51. Mr. Chilton stated that the bill was designed to amend an existing law now on the books. That the salary of \$3,000 per year does not induce a qualified man to be a judge of the municipal court. Cost, he stated, would run about \$10,000. The salary of the judge would be \$7,500, and additional cost for court reporter. Chilton represented the municipal league who indorsed the bill. It would not be mandatory for cities to have municipal courts. Representative Conklin, also, Mayor of Great Falls appeared in favor of the bill. Representative Anderson stated why he was against the bill. Also, Representative Wayrynen stated why he thought Butte would not adopt municipal courts. Questions asked by the committee. After the men excused the committee discussed the bill. Worden moved that HB 51 be not concurred in; seconded by Ruane. Motion carried.

HB 289 discussed by Representative Anderson (Y). The bill has to do with expenses of action and alimony. McDonnell moved the bill be executed; seconded by Worden. Motion carried.

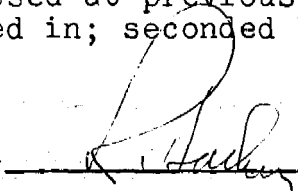
HB 335 discussed. Representative Conklin appeared in favor of the bill. Senator Wilson had approached Senator Harken and stated he was in favor of the bill with amendments. McDonnell, Ruane and Smith to look into the bill further.

HB 24 discussed. McDonnell moved it be not concurred in. Seconded by Carney. Motion carried.

HB 143. Further study recommended by Worden.

Sub HB 121 which was discussed at previous meeting acted on. Worded moved it be concurred in; seconded by Carney. Motion carried.

Meeting adjourned 6:00 PM.



form his duty in such office, and will not knowingly violate or permit a violation of any of the provisions of this act; that he is the owner in good faith of the required number of shares of stock in the bank standing in his name on the books of the bank. Such oaths shall be made in duplicate, one copy of which shall be transmitted to the superintendent of banks and filed in his office, and one copy shall be kept on file in the office of the bank."

Effective immediately.

Section 2. This act shall be in full force and effect after its passage and approval.

Approved March 2, 1957.

CHAPTER 79

An Act to Amend Section 31-125, Replacement Volume No. 3 of the Revised Codes of Montana, 1947, Relating to What Operators and Chauffeurs Must be Licensed, by Adding the Word "Montana" Before the Word "License" in Subsection (a) of This Section; Repealing All Acts and Parts of Acts in Conflict Herewith; by Providing for Effective Date of Act.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. That Section 31-125 of the Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

"Section 31-125. **Operators and Chauffeurs Must be Licensed.**

Operator or chauffeur license required.

"(a) No person, except those hereinafter expressly exempted, under Section 31-126, Revised Codes of Montana, 1947, as amended by Section 1, Chapter 95, Laws of 1955, shall drive any motor vehicle upon a highway in this state unless such person has a valid Montana license as an operator or chauffeur under the provisions of this act. No person shall drive a motor vehicle as a chauffeur unless he holds a valid chauffeur's license. No person shall receive a chauffeur's license unless and until he surrenders to the board any operator's license issued to him or an affidavit that he does not possess an operator's license.

"(b) Any person holding a valid chauffeur's license hereunder need not procure an operator's license.

"(c) Whenever a city or town requires an operator or chauffeur to obtain a local driving license or permit, such a license or permit shall not be issued unless applicant therefore presents a state driver's license valid under the provisions of this act."

Local driving license or permit—prerequisite for.

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Repealing clause.

Section 3. This act shall be in full force and effect from and after July 1, 1957.

Effective July 1, 1957.

Approved March 2, 1957.

CHAPTER 80

An Act to Amend Sections 14-501, 14-502, 14-503, 14-504, 14-508, 14-510, 14-516, 14-528 and 14-530 of the Revised Codes of Montana, 1947, Relating to Rural Electric Cooperatives, to Include Within the Provisions of the Rural Electric Cooperative Act Provision for Rural Telephone Cooperative Nonprofit Membership Corporations Organized to Furnish Adequate Telephone Service in Rural Areas, Where no Duplication of Lines, Facilities or Systems Providing Reasonably Adequate Service Will Result; Repealing All Acts and Parts of Acts in Conflict Herewith; and Providing When Act Takes Effect.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 14-501, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Amending clause.

"14-501. **Act, How Cited.** This act may be cited as the 'rural electric and telephone cooperative act'."

Act cited.

Section 2. That Section 14-502, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Amending clause.

"14-502. **Purpose.** Cooperative, nonprofit, membership corporations may be organized under this act for the following purposes:

Purposes.

"(a) For the purpose of supplying electric energy and promoting and extending the use thereof in rural areas, in which electrical current and service are not otherwise available, from existing facilities and plants;

(b) For the purpose of making generally available in rural areas adequate telephone service through the improvement and expansion of existing telephone facilities and the construction and operation of such additional facilities as are required to assure the availability of such service to the widest practicable number of rural users thereof, provided that nonduplication of lines, facilities or systems providing reasonably adequate service will result therefrom.

Corporations referred to as 'cooperatives'.

"Corporations organized under this act and corporations which become subject to this act in the manner herein-after provided are hereinafter referred to as 'cooperatives'."

Amending clause.

Section 3. That Section 14-503, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Powers.

"14-503. **Powers.** A cooperative shall have power:

"(a) To sue and be sued, in its corporate name;

"(b) To have perpetual existence;

"(c) To adopt a corporate seal and alter the same at pleasure;

"(d) To become a member in one or more other cooperatives or corporations or to own stock therein;

"(e) To construct, purchase, take, receive, lease as lessee, or otherwise acquire, and to own, hold, use, equip, maintain, and operate, and to sell, assign, transfer, convey, exchange, lease as lessor, mortgage, pledge, or otherwise dispose of or encumber, electric transmission and distribution lines or systems, electric generating plants, electric refrigeration plants, *telephone lines, facilities or systems (but not telegraph or radio broadcasting services or facilities)*, as defined by law, lands, buildings, structures, dams, plants and equipment, and any and all kinds or classes of real or personal property whatsoever, which shall be deemed necessary, convenient or appropriate to accomplish the purpose for which the cooperative is organized;

"(f) To purchase or otherwise acquire, and to own, hold, use and exercise and to sell, assign, transfer, convey, mortgage, pledge, hypothecate, or otherwise dispose of or encumber, franchises, rights, privileges, licenses, rights of way and easements;

To purchase or otherwise acquire.

"(g) To borrow money and otherwise contract indebtedness, and to issue notes, bonds and other evidences of indebtedness therefor, and to secure the payment thereof by mortgage, pledge, deed of trust, or any other encumbrance upon any or all of its then owned or after-acquired real or personal property, assets, franchises, revenues or income;

To borrow money and otherwise contract indebtedness.

"(h) To construct, maintain and operate electric transmission and distribution lines, *or telephone lines, facilities or systems*, along, upon, under and across all public thoroughfares, including without limitation all roads, highways, streets, alleys, bridges and causeways, and upon, under and across all publicly-owned lands, subject, however to the same requirements in respect of the use of such thoroughfares and lands as are imposed by the respective authorities having jurisdiction thereof upon corporations constructing or operating electric transmission and distribution lines or systems, *or telephone lines, facilities or systems*;

To construct, maintain and operate.

"(i) To exercise the power of eminent domain in the manner provided by the laws of this state for the exercise of that power by corporations constructing or operating electric transmission and distribution lines or systems, *or telephone lines, facilities or systems*;

To exercise power of eminent domain.

"(j) To conduct its business and exercise any or all of its powers within or without this state;

"(k) To adopt, amend and repeal by-laws;

(l) In the case of corporations organized under the provisions of paragraph (a) of Section 14-502, Revised Codes of Montana, 1947, as amended by Section 2 of this act:

In the case of corporations.

"(1) To generate, manufacture, purchase, acquire, accumulate and transmit electric energy, and to distribute, sell, supply and dispose of electric energy in rural areas to its members, to governmental agencies and political subdivisions, and to other persons not in excess of ten per centum (10%) of the number of its members;

To make
loans.

"(2) To make loans to persons to whom electric energy is or will be supplied by the cooperative for the purpose of, and otherwise to assist such persons in, wiring their premises and installing therein electrical and plumbing fixtures, appliances, apparatus and equipment of any and all kinds and character, and in connection therewith, to purchase, acquire, lease, sell, distribute, install and repair such electrical and plumbing fixtures, appliances, apparatus and equipment, and to accept, or otherwise acquire, and to sell, assign, transfer, endorse, pledge, hypothecate and otherwise dispose of notes, bonds and other evidences of indebtedness and any and all types of security therefor;

"(3) To make loans to persons to whom electric energy is or will be supplied by the cooperatives for the purpose of, and otherwise to assist such persons in, constructing, maintaining and operating electric refrigeration plants.

(m) In the case of corporations organized under the provisions of paragraph (b) of Section 14-502, Revised Codes of Montana, 1947, as amended by Section 2 of this act:

To improve
and expand
existing
facilities.

(1) To improve and expand existing telephone lines, facilities and systems in rural areas and to construct, acquire, operate and furnish such additional telephone lines, facilities, and systems, as are required to assure the availability of adequate telephone service to the widest practicable number of rural users thereof, provided that no duplication of lines, facilities or systems providing reasonably adequate service will result therefrom.

To make
loans to whom
telephone
service is
supplied.

(2) To make loans to persons to whom telephone service is or will be supplied by the cooperative for the purpose of, and otherwise to assist such persons in, wiring their premises for telephone service, and installing therein telephone fixtures, appliances, apparatus and equipment of any and all kinds and character, and in connection therewith, to purchase, acquire, lease, sell, distribute, install and repair such telephone fixtures, appliances, apparatus and equipment, and to accept, or otherwise acquire, and to sell, assign, transfer, endorse, pledge, hypothecate, and otherwise dispose of notes, bonds and other evidences of indebtedness and any and all types of security therefor;

"(n) To do and perform any and all other acts and things, and to have and exercise any and all other powers which may be necessary, convenient or appropriate to accomplish the purpose for which the cooperative is organized."

Section 4. That Section 14-504, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Amending
clause.

14-504. **Name.** The name of each cooperative shall include the words 'electric' or 'telephone' and 'cooperative' and the abbreviation 'inc.', provided, however, such limitations shall not apply if, in an affidavit made by the president or vice-president of a cooperative and filed with the secretary of state, it shall appear that the cooperative desires to transact business in another state and is precluded therefrom by reason of its name. The name of a cooperative shall distinguish it from the name of any other corporation organized under the laws of, or authorized to transact business in, this state. The words 'electric' or 'telephone' and 'cooperative' shall not both be used in the name of any corporation organized under the laws of, or authorized to transact business in, this state, except a cooperative or a corporation transacting business in this state pursuant to the provisions of this act."

Name of
cooperatives
to include
the words
'electric' or
'telephone'
and 'coopera-
tive'.

Section 5. That Section 14-508, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Amending
clause.

14-508. **Members.** (a) No person who is not an incorporator shall become a member of a cooperative unless such person shall agree to use electric energy or telephone service furnished by the cooperative when such electric energy or telephone service shall be available through its facilities. The by-laws may provide that any person, including an incorporator, shall cease to be a member of a cooperative if he shall fail or refuse to use electric energy or telephone service made available by the cooperative or if electric energy or telephone service shall not be made available to such person by the cooperative within a specified time after such person shall have become a member thereof. Membership in the cooperative shall not be transferable, except as provided in the by-laws. The by-laws may prescribe additional qualifications and limitations in respect to membership.

Members of
cooperatives.

Annual meeting. "(b) An annual meeting of the members shall be held at such time as shall be provided in the by-laws.

Special meetings. "(c) Special meetings of the members may be called by the board of trustees, by any three trustees, by not less than ten per centum (10%) of the members, or by the president.

Place. "(d) Meetings of the members shall be held at such place as may be provided in the by-laws. In the absence of any such provision, all meetings shall be held in the city or town in which the principal office of the cooperative is located.

Notice. "(e) Except as hereinafter otherwise provided, written or printed notice stating the time and place of each meeting of members, and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be given to each member, either personally or by mail, not less than ten (10) nor more than twenty-five (25) days before the date of the meeting.

Quorum. "(f) Five per centum (5%) of all members present in person shall constitute a quorum for the transaction of business at all meetings of the members, but the by-laws may prescribe the presence of a greater percentage of the members for a quorum. If less than a quorum is present at any meeting, a majority of those present in person may adjourn the meeting from time to time without further notice.

Voting. "(g) Each member shall be entitled to one vote on each matter submitted to a vote at a meeting. Voting shall be in person, but, if the by-laws so provide, may also be by proxy or by mail, or both. If the by-laws provide for voting by proxy or by mail, they shall also prescribe the conditions under which proxy or mail voting or both shall be exercised. In any event, no person shall vote as a proxy for more than three (3) members at any meeting of the members."

Amending clause. Section 6. That Section 14-510, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Voting districts provided for. "14-510. **Voting Districts.** Notwithstanding any other provisions of this act, the by-laws may provide that the territory in which a cooperative supplies electric energy or telephone service to its members shall be divided into

two or more voting districts and that in respect to each such voting district (1) a designated number of trustees shall be elected by the members residing therein, or (2) a designated number of delegates shall be elected by the members residing therein, or (3) both such trustees and delegates shall be elected by such members. In any such case the by-laws shall prescribe the manner in which such voting districts and the members thereof, and the delegates and trustees, if any, elected therefrom shall function and the powers of the delegates, which may include the power to elect trustees. No member at any voting district meeting and no delegate at any meeting shall vote by proxy or by mail."

Section 7. That Section 14-516, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

Amending clause.

"14-516. **Conversion of Existing Corporations.** Any corporation organized under the laws of this state for the purpose, among others, of supplying electric energy or telephone service in rural areas may become subject to this act with the same effect as if originally organized under this act by complying with the following requirements:

Conversion of existing corporations.

"(a) The proposition for the conversion of such corporation into a cooperative *under this act* and proposed articles of conversion to give effect thereto shall be first approved by the board of trustees or the board of directors, as the case may be, of such corporation. The proposed articles of conversion shall recite in the caption that they are executed pursuant to this act and shall state: (1) the name of the corporation prior to its conversion into a cooperative *under this act*; (2) the address of the principal office of such corporation; (3) the date of the filing of its articles of incorporation in the office of the secretary of state; (4) the statute or statutes under which such corporation was organized; (5) the name assumed by such corporation; (6) a statement that such corporation elects to become a cooperative, non-profit, membership corporation subject to this act; (7) the manner and basis of converting either memberships in or shares of stock of such corporation into memberships therein after completion of the conversion; and (8) any provisions not inconsistent with this act deemed necessary or advisable for the conduct of its business and affairs;

Requirements for conversion.

Articles of conversion.

Vote of members or stockholders required for conversion.

"(b) The proposition for the conversion of such corporation into a cooperative *under this act* and the proposed articles of conversion approved by the board of trustees or board of directors, as the case may be, of such corporation shall then be submitted to a vote of the members or stockholders, as the case may be, of such corporation at any duly held annual or special meeting thereof, the notice of which shall set forth full particulars concerning the proposed conversion. The proposition for the conversion of such corporation into a cooperative *under this act* and the proposed articles of conversion, with such amendments thereto as the members or stockholders of such corporation shall choose to make therein, shall be deemed to be approved upon the affirmative vote of not less than two-thirds of those members of such corporation voting thereon at such meeting, or, if such corporation is a stock corporation, upon the affirmative vote of the holders of not less than two-thirds of the capital stock of such corporation represented at such meeting;

"(c) Upon such approval by the members or stockholders of such corporation, articles of conversion in the form approved by such members or stockholders of such corporation shall be executed and acknowledged on behalf of such corporation by its president or vice-president and its corporate seal shall be affixed thereto and attested by its secretary or assistant secretary. The president or vice-president executing such articles of conversion on behalf of such corporation shall also make and annex thereto an affidavit stating that the provisions of this section with respect to the approval of its trustees or directors and its members or stockholders, of the proposition for the conversion of such corporation into a cooperative *under this act* and such articles of conversion were duly complied with. Such articles of conversion and affidavit shall be submitted to the secretary of state for filing as provided in this act; and

"(d) The term 'articles of incorporation' as used in this act shall be deemed to include the articles of conversion of a converted corporation."

Section 8. That Section 14-528, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

"14-528. **Exemption from Excise Taxes—License Fee.** Cooperatives and foreign corporations, transacting business in this state pursuant to the provisions of this act, shall pay annually, on or before the first day of July, to the secretary of state, a fee of ten dollars (\$10.00) for each one hundred (100) persons or fractions thereof to whom electricity or telephone service is supplied within the state, but shall be exempt from all other excise and income taxes of whatsoever kind or nature."

Section 9. That Section 14-530, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

"14-530. **Definitions.** In this act, unless the context otherwise requires:

"(a) 'Rural area' as applied to all corporations organized under the provisions of paragraph (a) of Section 14-502, Revised Codes of Montana, 1947, as amended by Section 2 of this act, means any area not included within the boundaries of any incorporated or unincorporated city, town, village or borough having a population in excess of thirty-five hundred (3500) persons at the time of the passage and approval of chapter 172, Session Laws of Montana, 1939, or subsequent thereto; 'rural area' as applied to all corporations organized under the provisions of paragraph (b) of Section 14-502, Revised Codes of Montana, 1947, as amended by Section 2 of this act, means any area not included within the boundaries of any incorporated or unincorporated city or town having a population in excess of fifteen hundred (1500) persons.

"(b) 'Person' includes any natural person, firm, association, corporation, business trust, partnership, federal agency, state or political subdivision or agency thereof or any body politic; and

"(c) 'Member' means each incorporator of a cooperative and each person admitted to and retaining membership therein, and shall include a husband and wife admitted to joint membership."

Section 10. All acts and parts of acts in conflict herewith are hereby repealed.

Section 11. This act shall be in full force and effect from and after its passage and approval.

Approved March 2, 1957.

License fee.

Exemption from excise and income taxes.

Amending clause.

Definitions.

"Rural area."

"Person".

"Member".

Repealing clause.

Effective immediately.

Affidavit to be filed with secretary of state.

"Articles of incorporation" to include articles of conversion.

Amending clause.